



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT

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July 18, 2023

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VIA ECF

Hon. Robert W. Lehrburger
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Granted.

SO ORDERED:

7/18/2023

HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Re: *M.B. v. New York City Dept. of Educ.*, 23-cv-1618 (GHW)(RWL)

Dear Judge Lehrburger:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks an extension of the implementation deadline for use of tutoring services (and authorization of payment to EBL Coaching or other tutoring services providers), as well as attorneys' fees and costs for legal work implementing the decision in Case# 193695 in this action.

I write jointly with Plaintiffs to respectfully request a 60-day stay of this action until September 15, 2023. Plaintiff provided the needed billing records on July 17, 2023, and consents to this request. (Defendant's deadline to respond to the Complaint is currently July 21, 2023). Your Honor granted Defendant's first request for an extension on March 20, 2023 (ECF No. 14), and the second request on June 22, 2023 (ECF No. 22). The parties have reached a settlement agreement in principle on the substantive claims. The requested stay will allow the parties to finalize the stipulation of settlement and give Defendant's counsel time to complete the City's internal review process by reviewing the billing records together with the underlying administrative record, begin settlement negotiations on the fees claims, and hopefully resolve this matter without the need for a conference or motion practice. The parties are optimistic that a resolution can be reached without the need for further Court intervention.

If a stay is granted, the parties propose the submission of a joint status letter on or before September 15, 2023 updating the Court on the status of settlement negotiations.

Thank you for considering these requests.

Respectfully submitted,

/s/

Marina Moraru
Special Assistant Corporation Counsel

cc: William DeVinney (via ECF)